**In The Court Of Learned Settlement Collector Rural Shimla, H.P.**

IN THE MATTER OF :\_\_\_\_\_\_

Appellant/applicant.

Versus.

Respondents.

**APPLICATION UNDER ORDER 23 RULE 3 READ WITH SECTION 151 C.P.C WITH THE PRAYER TO COMPROMISE THE MATTER IN CONTROVERSY:**

RESPECTFULLY SHEWETH:

1.  That the above noted appeal is pending before the learned court and the case has been fixed for \_\_\_\_\_\_ for further hearing.

2.  That on \_\_\_\_\_\_, field Kanungo has demarcated the suit land and has also fixed the pucca points and has also specifically defined the boundaries of the parties which has been confirmed by the parties and as per the demarcation given on the spot, the parties have taken possession of their respective land and have also undertaken not to disturb the possession of each other.

3.  That as the matter in controversy has finally been settled between the parties after demarcation given by the Field Kanungo on \_\_\_\_\_\_ hence the parties wants to compromise the matter and in case the possession of the plaintiff ordered to be recorded over old Khasara No \_\_\_\_\_\_ and at present Khasara No \_\_\_\_\_\_ of the appellant/applicant according to his share, the respondent shall no objection.

 It is, therefore, most respectfully prayed that the application may kindly be allowed and the appeal may kindly be disposed of accordingly, in the interest of justice equity and fair play.

Appellant

Through.

Counsel.

\_\_\_\_\_\_\_\_\_\_

Advocate.

Shimla:

\_\_\_\_\_

**IN THE COURT OF LEARNED  SENIOR SUB JUDGE SHIMLA ,H.P.**

**IN THE MATTER OF**

Plaintiff/applicant.

                              Versus.

 Defendants/Respondents.

**APPLICATION UNDER ORDER 23 RULE 3 READ WITH SECTION 151 C.P.C WITH THE PRAYER TO COMPROMISE THE SUIT PENDING FOR \_\_\_\_\_:**

RESPECTFULLY SHEWETH:

1.  That the above noted suit is pending before the  learned court and the case has been fixed for \_\_\_\_\_ for further hearing.

2.  That on \_\_\_\_\_, field Kanungo has demarcated the suit land and has also fixed the pucca points and has also specifically defined the boundaries of the parties which has been confirmed  by the parties and as per the  demarcation given on the spot, the parties have taken possession of their respective land and have also undertaken not to disturb the possession of each other.

3.  That as  the matter in controversy has finally been settled between the parties after demarcation given by the Field Kanungo on \_\_\_\_\_ hence the parties wants to compromise the matter as the defendants have now undertaken not to disturb the possession of the plaintiff/appellant over the suit land.

It is, therefore, most respectfully prayed that the application may kindly be allowed and the  suit of the plaintiff may kindly be decreed as compromised as prayed for in the main suit, in the interest of justice equity and fair play.

                                                                 Plaintiff.

Through.

Counsel.

(\_\_\_\_\_\_\_\_\_\_)

Advocate.

Shimla,

\_\_\_\_\_\_\_

**IN THE COURT OF LEARNED SETTLEMENT COLLECTOR RURAL SHIMLA**

In the matter of: \_\_\_\_\_

Applicant.

Versus.

Respondents.

Affidavit in support of application under order 23 rule 3 C.P.C:

Affidavit of \_\_\_\_\_\_\_\_\_\_\_\_ aged \_\_\_\_\_\_ years occupation  agriculturist.

I, the above named deponent do hereby solemnly affirms on oath as under:-

1.  That the accompanying application under order 23 rule 3 C.P.C has been drafted at my instance and under my instructions.

2.  That the contents of my above application in paras 1 to 3 are true and correct to the best of my knowledge and belief.  No part of it is false and nothing has been concealed therefrom.

I, further declare that the contents of my above affidavit in pars 1 and 2 are true and correct to the best of my personal knowledge and belief.  No part of it is false and nothing has been concealed therefrom.

    Affirmed here at Shimla on \_\_\_\_\_\_ day of \_\_\_\_\_\_2004.

                                                              DEPONENT